

Checklist for Interdisciplinary Review of Categorical Exclusions

Document Title: Rock Art Ranch Road ^{2013 0037} 2013 0037	
Document Number: DOI-BLM-AZ-G010- 2013-00 CX	Case File Number: AZA34749
Preparer Name and Title: Ron Peru / Realty Specialist	
Date Scoping Initiated: 7/18/2014	Date Scoping Closed:

Roberta Lopez
 Thomas J. Schnell, AFM For Non-Renewable Resources

Biologist Assigned: Jeff Conn

Amelia Underwood
 Acting AFM For Renewable Resources

NEPA Coordinator Assigned

Roberta Lopez
 Scott C. Cooke, SFO Field Manager

** See original EA checklist*

Critical Elements & Other Issues	Specialist	Affected		Comments		Document Review Signature	Date
		Yes	No	Yes	No		
1. NRHPP/Cultural	Dan McGrew		✓		✓	<i>Dan McGrew</i>	Oct 27/14
2. T&E Species	Jeff Conn		✓		✓	<i>Jeff Conn</i>	11/24/14
3. Floodplains/Wetlands	Amelia Underwood		✓		✓	<i>Amelia Underwood</i>	11/25/14
4. Invasive Species	Dave Arthun		✓		✓	<i>Dave Arthun</i>	11-25-14
5. NEPA Map	Sharisse Fisher		✓		✓	<i>Sharisse Fisher</i>	12/1/14

Attachments: _____

Planning and Environmental Coordinator: *[Signature]* Date: 12/2/14

[Signature] Date: 12/2/14
 Assistant Field Manager – Reviewed/Recommended

**NEPA COMPLIANCE RECORD
CATEGORICAL EXCLUSION (CX)**

Safford Field Office

NEPA #: DOI-BLM-AZ-G010-2013-0037-CX

Serial/Case File No. Navajo County / AZA34749

Proposed Action Title/Type: Right-of Way for the existing Ranch Art Rock Road

Location of Proposed Action (include name of 7.5 topographic map): The Rock Art Ranch Road is located in Navajo County approximately 7 miles Southwest of Joseph City, Arizona.

Gila Salt River Meridian

T. 17 N., R. 18 E., sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.

This area is covered by Apache Butte , AZ Quadrangle 7.5 Minute Map as show in Figure 1.

Description of Proposed Action: Navajo County submitted an application on July 7, 2008 for a ROW of the existing Rock Art Ranch Road south of Joseph City Arizona. The portion of Rock Art Ranch Road crossing BLM is approximately 5,280 feet in length and 20 feet in width. No new construction or realignment is proposed. The Rock Art Ranch Road currently services private property south of Territorial Road. Territorial Road has existed in its current alignment for well over 110 years, having been declared a county road in 1896. The county has been maintaining the Territorial Road since its acceptance and would like to include Rock Art Ranch Road as well. Currently the surface of the road is Class 6 AB gravel. The right-of-way to be granted to Navajo County will be 5,280 feet in length by 30 feet in width containing 3.7 acres.

LAND STATUS IN THE AREA: Lands surrounding area is mostly private with scattered public and state land. See attached map for land status.

OTHER USES IN THE IMMEDIATE AREA: The lands are used primarily for grazing purposes. Recreation, open space, watershed and wildlife habitat are other values present.

The term of the grant will be for 30 years per FLPMA sec. 504 (b) [43 USC 1764] which states "Each right-of-way or permit granted, issued, or renewed pursuant to this section shall be limited to a reasonable term in light of all circumstances concerning the project."

Applicant (if any): Navajo County

PART I: PLAN CONFORMANCE REVIEW. The proposed action conforms with the Phoenix Resource Management Plan (RMP) and Record of Decision dated 1998. According to page 14 of the RMP, "Land use authorizations (rights-of-way, leases, permits, easements) would continue to be issued on a case-by-case basis, in accordance with the recommendations of this RMP/FEIS."

The proposed action has been reviewed and determined to be in conformance with this plan (43 CFR 1610.5, BLM MS 1617.3).


Specialist Signature

12/1/14
Date

PROGRAM CONSULTATION & COORDINATION/CX CHECKLIST
BUREAU OF LAND MANAGEMENT
SAFFORD FIELD OFFICE

PART II: CATEGORICAL EXCLUSION REVIEW

NEPA #: DOI-BLM-AZ-G010-2013-0037-CX

ASSIGNMENT AND REVIEW

Subactivity: 2800
Case/Project No.: AZA34749

Project Name: Right-of Way for the existing Ranch Art Rock Road
Location (legal description): T17N., R.18E. sec. 4, SE¼NE¼, W½SE¼.
NLCS Unit: _____
Quad Name: Apache Butte
Project Lead: Ron Peru

Draft Review: Unit Manager/Supervisor: [Signature] Date: 12/2/14
Technical Review:

Applies? Yes No	NAME	EXCEPTION	SIGNATURE	DATE
() (X)	R.J. Estes	(1) Have Significant adverse effects on public health or safety?	[Signature]	11/24/14
() (X)	Amelia Underwood	(2) Have adverse effects on such unique geographic characteristics as principal drinking water aquifers, or wetlands.	[Signature]	11/25/14
() (X)	Todd Murdock	(3) Have adverse effects on such unique geographic characteristics as parks, recreation or refuge lands, wilderness areas, wild or scenic rivers, or ecologically significant or critical areas including those listed on the Department's National Register of Natural Landmarks.	[Signature]	11/24/14
() (X)	Dan McGrew	(4) Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places, on such unique geographic characteristics as historic or cultural resources. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners.	[Signature]	Oct 27 14
() (X)	Jeff Conn	(5) Have adverse effects on species listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.	[Signature]	11/25/2014
() (X)	Dave Arthun	(6) Contribute to the introduction, continuation existence, or spread of noxious weeds or non-native invasive species.	[Signature]	11-25-14
() (X)	Ron Peru	(7) Have highly controversial environmental effects	[Signature]	12-1-14
() (X)	Ron Peru	(8) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	[Signature]	12-1-14
() (X)	Ron Peru	(9) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	[Signature]	12/1/14
() (X)	Ron Peru	(10) Individually Insignificant, but cumulatively significant effects.	[Signature]	12/1/14
() (X)	Tim Goodman	(11) Have a disproportionately high and adverse effect on low income or minority populations.	[Signature]	11/24/14

Final Review:

Environmental Coordinator: [Signature] Date: 12/2/14

This proposed action qualifies as a categorical exclusion under 516 DM 6, Appendix 5. 4. E. 16 (DOI-BLM-AZ-G010-2011-0041). It has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 2, apply.

This states: "Acquisition of easements for an existing road or issuance of leases, permits, or rights-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes."

The action does not have significant adverse effects on public health and safety nor does the action adversely affect such unique geographic characteristics as historic or cultural resources, parks, recreation, or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks. The action does not have highly controversial environmental effects nor have highly uncertain environmental effects or involve unique or unknown environmental risk nor does it adversely affect a species listed or proposed to be listed on the list of endangered or threatened species. It does not establish a precedent for future action or represent a decision in principle about a future consideration with significant environmental effects or related to other actions with individually insignificant but cumulatively significant environmental effects. The proposed action does not adversely affect properties listed or eligible for listing in the National Register of Historic Places or threaten to violate a Federal, State, local or tribal law or requirements imposed for the protection of the environment or which require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands) or the Fish and Wildlife Coordination Act.

Mitigation Measures/Stipulations:

- A. Any archaeological or historical artifacts or remains, or vertebrate fossils discovered during construction, maintenance and use shall be left intact and undisturbed; all work in the area shall stop immediately and the Assistant Field Manager for Non-Renewable Resources shall be notified immediately. Commencement of operations shall be allowed upon clearance by the Assistant Field Manager.
- B. An additional cultural and paleontological resource survey may be required in the event that the project location is changed or additional surface disturbing operations are added to the project after the initial survey. Any such survey would have to be completed prior to commencement of operations.
- C. If in connection with operations under this authorization, any human remains, funerary objects, sacred objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P.L. 101-601; Stat. 3048; U.S.C. 3001) are discovered, the permittee shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the Assistant Field Manager for Non-Renewable Resources of the discovery. The permittee shall continue to protect the immediate area of the discovery until notified by the Assistant Field Manager that operations may resume.
- D. The proponent, in concert with the BLM, shall be responsible for weed control (if required) on disturbed areas within the limits of the right-of-way or construction site. The proponent and contractor will be responsible for consultation with the Authorized officer and local authorities for implementing acceptable weed treatment methods. All herbicidal treatments must abide by all safety and application guidelines as listed on the product label and material Data safety sheet (MSDA and comply with: Record of Decision, Vegetation treatments Using Herbicides on BLM

lands in 17 Western States, EIS, 2007, Herbicide Active ingredients Approved for Use. When specified any reclamation efforts requiring seeding will be done with certified, weed-free native seed. Contact BLM for approved sources of native seed, certified testing and mixtures.

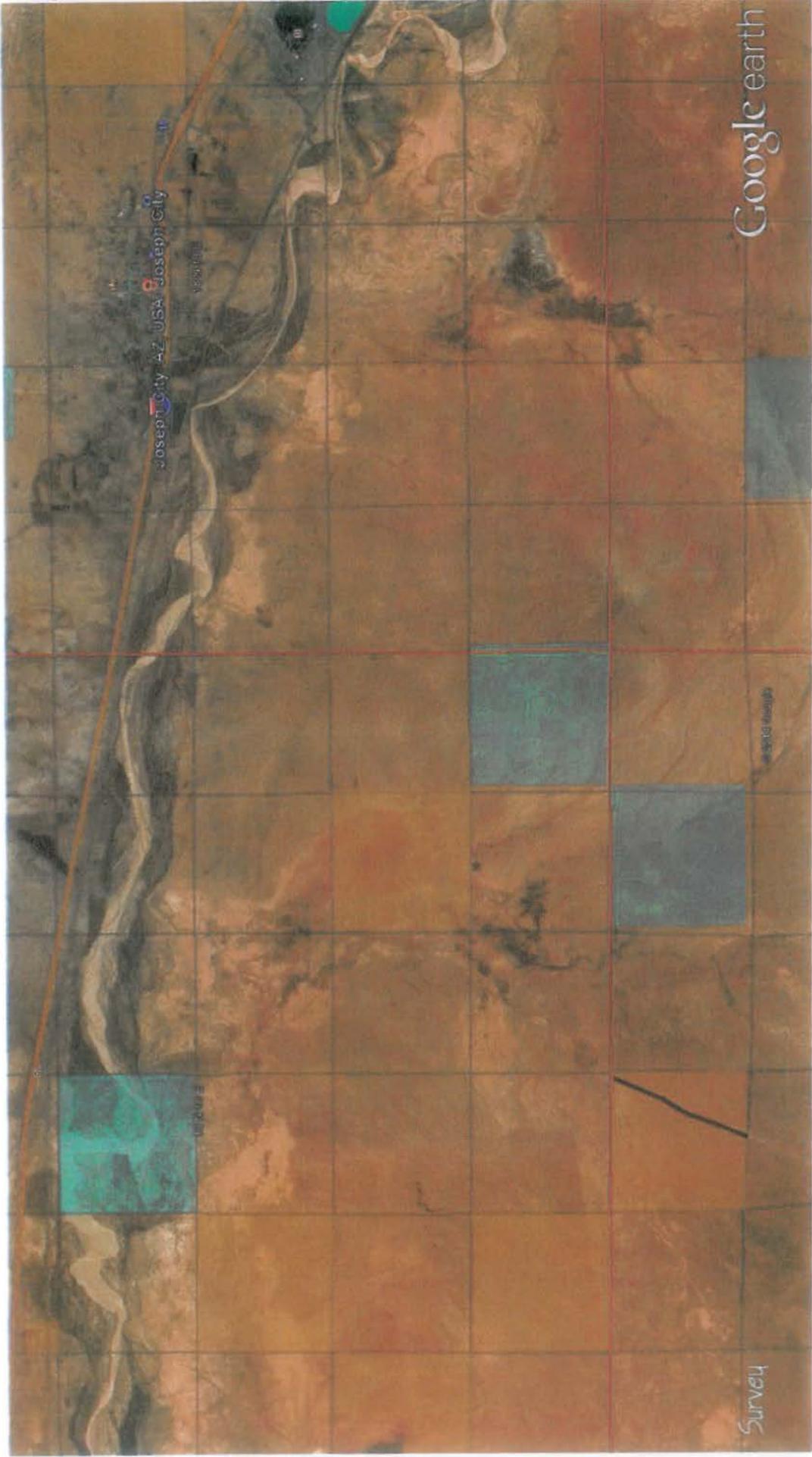
All herbicidal treatment on (BLM ground or a Government nexus) must meet BLM National Environmental Policy Act (NEPA) requirements; Record of Decision, Vegetation treatments Using Herbicides On Bureau of Land Management Lands in 17 Western States (Programmatic EIS, 2007). Environmental analysis documents will include an Environmental Assessment (EA) (40 CFR 1506.6 (b) and Pesticide Use Proposal (PUP) prior to any herbicide application. Preparation of an EA and its associated PUP may require several months to complete.

- E. This grant is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- F. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 180 days, or otherwise disposed of as provided by the authorized officer.
- G. The plans, maps, BMP'S or designs submitted by holder with the original and previously amended applications are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- H. Failure of the holder to comply with applicable law or any provision of this right-of-way grant shall constitute grounds for suspension or termination thereof.
- I. All operations shall be performed in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
- J. All activities directly or indirectly associated with construction, operation and maintenance shall be conducted within the limits of the approved right-of-way. This right-of-way does not allow for any surface disturbing activities outside the right-of-way area.
- K. The holder(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
- L. The holder shall notify the Authorized Officer prior to commencement of emergency maintenance outside the right-of-way to discuss repair and construction activities.
- M. If ground disturbance within the right-of-way is required, the holder is to use BMP's to eliminate the potential for offsite movement of sediment/soil. The BMP's are to include 95% compaction rate, straw waddles, etc.

- N. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
- O. The holder must amend the right-of-way grant at any time additional land, equipment, and/or new uses are proposed which are beyond the scope of the existing authorization. This includes significant maintenance such as upgrades, and/or construction of new roads.
- P. At least 60 days prior to termination of the right-of-way, the holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surface material, recontouring, top soiling, or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
- Q. The holder shall notify the Authorized Officer of any address change that occurs during the term of the right-of-way.
- R. Any changes to the authorization require prior written approval from the Authorized Officer.

Part III: DECISION. I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed action does not conflict with major land-use-plans and will not have any major adverse impacts on other resources. Therefore, it does not represent an exception, and is categorically excluded from further environmental review. It is my decision to implement the project, as described, with the mitigation measures attached.

Authorized Official:  Date: 12/9/14



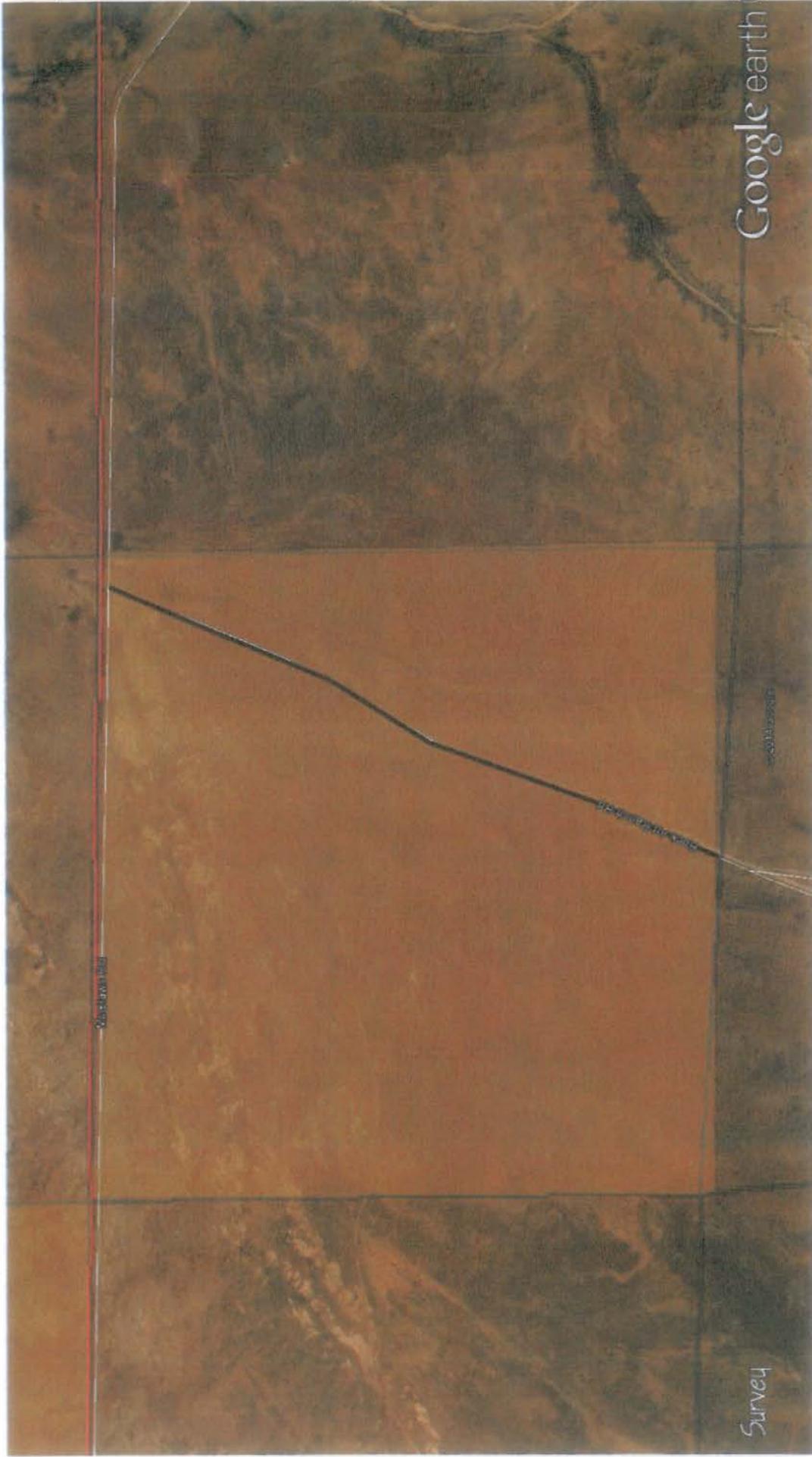
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